



328611

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107-4431

ORIGINAL  
(RED)

March 22, 1994

West Virginia Division of Environmental Protection  
Office of Waste Management (SIR)  
Mr. Michael Stratton  
1356 Hansford Street  
Charleston, West Virginia, 25301-1401

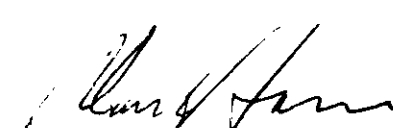
Dear Mr. Stratton:

This letter provides a copy of the enclosed Notice Letter dated March 21, 1994, in the matter of the Hanlin-Allied Site, West Virginia. Similar letters were also sent to Hanlin Chemicals-West Virginia and Olin Corporation.

We expect the potentially responsible parties to reply to the Environmental Protection Agency within 10 business days of their receipt of the letter. We will keep you abreast of these developments.

If you have any related questions, please call me at 215 597-8485.

Sincerely,

  
David J. Iacono, P.E.  
Remedial Project Manager, 3HW41

Enclosure

cc without enclosure:  
K. Hummel, EPA 3HW41



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107

**NOTICE OF POTENTIAL LIABILITY AND OFFER TO NEGOTIATE  
FOR REMOVAL ACTION**  
**URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

ORIGINAL  
(RED)

MAR 21 1994

Mr. Lawrence A. Bossidy, CHB  
Allied Signal, Incorporated  
101 Columbia Road  
Morristown, New Jersey 07962

**RE: Hanlin-Allied Site  
Moundsville, West Virginia**

Dear Mr. Bossidy:

This letter confirms notification of potential liability, as defined by Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9607(a), as amended (CERCLA), that Allied-Signal Corporation ("Allied") may incur or may have incurred with respect to the above-referenced Site. The Site is illustrated in Figure 1 and includes area presently owned by Allied. This letter also notifies Allied of possible forthcoming removal activities at the Site which Allied may be asked to perform or pay for at a later date if EPA performs them.

**NOTICE OF POTENTIAL LIABILITY**

The United States Environmental Protection Agency (EPA) has documented the release or threatened release of hazardous substances, pollutants, or contaminants at the above-referenced Site. EPA has spent, or is considering spending, public funds on actions to investigate and control such releases or threatened releases at the Site. Unless EPA reaches an agreement under which a potentially responsible party (PRP) or parties will properly perform or finance such actions, EPA may perform these actions pursuant to Section 104 of CERCLA.

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6973 (RCRA), and other laws, PRPs may be obligated to implement response actions deemed necessary by EPA to protect health, welfare or the environment, and may be liable for all costs incurred by the government in responding to any release or threatened release at the Site. Such actions and costs may include, but are not limited to, expenditures for investigations, planning, response, oversight, and enforcement activities. In addition, PRPs may be liable for damages to natural resources. EPA may issue an administrative order

pursuant to Section 106(a) of CERCLA, 42 U.S.C. § 9606(a), to require PRPs to commence cleanup activities. Failure to comply with an administrative order issued under Section 106(a) of CERCLA, 42 U.S.C. § 9606(a), may result in a fine of up to \$25,000 per day, under Section 106(b) of CERCLA, and/or imposition of treble damages, under Section 107(c)(3), 42 U.S.C. § 9607(c)(3).

ORIGINAL  
(RED)

EPA has evaluated information in connection with the investigation of the Site. Based on this information, EPA believes that Allied may be a PRP with respect to this Site. PRPs under CERCLA include current owners and operators of the Site, owners and operators at the time of disposal, as well as persons who arranged for disposal or treatment of hazardous substances sent to the Site, or persons who accepted hazardous substances for transport to the Site. By this letter, EPA notifies Allied of your potential liability with regard to this matter and encourages you to voluntarily perform or finance those response activities that EPA determines are necessary at the Site.

#### **SITE RESPONSE ACTIVITIES**

At present, EPA has determined that removal actions are necessary at this Site. These activities include, but may not be limited to the following:

1. Removal and disposal of mercury and mercury-contaminated debris contained in the mercury cell building onsite;
2. Removal and disposal of remaining hazardous substances which may be contained in tanks, vessels, process lines, drums, or other containers onsite;
3. Completion of cleanup of a sulfuric acid spill which occurred at the Site on or about June 29, 1989;
4. Continued pumping of selected Ranney wells to prevent further migration of contamination into the ground water.
5. Performance of an Engineering Evaluation/Cost Analysis ("EE/CA") to determine the extent of ground water and soil contamination at and near the Site.

#### **DECISION NOT TO USE SPECIAL NOTICE**

Under CERCLA Section 122(e), 42 U.S.C. § 9622(e), EPA has the discretionary authority to invoke special notice procedures to negotiate formally the terms of an agreement between EPA and

PRPs to conduct or finance response activities. Use of these special notice procedures triggers a moratorium on certain EPA activities at the Site while formal negotiations between EPA and the PRP or PRPs are conducted.

In this case, EPA has decided not to invoke the Section 122(e) special notice procedures because use of such procedures is not practicable or in the public interest, nor would use of such procedures facilitate an agreement or expedite remedial action. It is EPA's policy not to use the special notice procedures for removals unless there is a six-month planning lead time after the decision to respond and prior to the initiation of the action. Since the planning lead time prior to the initiation of this response action is less than six months for time-critical actions, special notice procedures will not be used. Nonetheless, EPA is willing to discuss settlement opportunities without invoking a moratorium, but will initiate the response action as planned if such discussions do not lead to settlement expeditiously.

ORIGINAL  
(RFD)

#### INFORMATION TO ASSIST RESPONSIBLE PARTIES

EPA encourages good faith negotiations between the PRPs and EPA, and among the PRPs. To assist PRPs in preparing a proposal and in negotiating with EPA concerning this matter, EPA is providing the following information as attachments to this letter:

1. A list of names and addresses of PRPs to whom this notification is being sent. This list represents EPA's preliminary findings on the identities of PRPs. Inclusion on, or exclusion from, the list does not constitute a final determination by EPA concerning the liability of any party for the release or threat of release of hazardous substances at the Site.
2. To the extent such information is readily available to this office, a list of the hazardous substances known or suspected to be present at the Site;
3. A fact sheet that describes the Site.

#### ADMINISTRATIVE RECORD

Pursuant to CERCLA Section 113(k), 42 U.S.C. § 9613(k), EPA will establish an administrative record that contains documents that form the basis of EPA's decision on the selection of a response action for a Site. The administrative record files, which contain such documents related to the response action

selected for this Site will be available to the public for inspection and comment. The primary location is generally the EPA Regional office.

**PRP RESPONSE AND EPA CONTACT**

ORIGINAL  
(RED)

You are encouraged to contact EPA within ten (10) business days of your receipt of this letter to indicate your willingness to participate in future negotiations at this Site. You may respond individually or through a steering committee if such a committee has been formed. If EPA does not receive a timely response, EPA will assume that you have declined any involvement in performing the response activities described above. You may be held liable under Section 107 of CERCLA for the cost of the response activities EPA performs at the Site and for any damages to natural resources.

The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not intended to be and cannot be relied upon as final EPA positions on any matter set forth herein. Your response to this notice letter should be sent to:

U.S. Environmental Protection Agency, Region 3  
David J. Iacono  
Remedial Project Manager, Mail Code 3HW41  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107

215 597-8485

If you or your attorney have any questions of a legal nature pertaining to this matter, please direct them to Christina M. Valente, Senior Assistant Regional Counsel at:

U.S. Environmental Protection Agency, Region 3  
Christina M. Valente  
Senior Assistant Regional Counsel, Mail Code 3RC33  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107

215 597-3602

Sincerely,



Abraham Ferdas, Associate Division  
Director for Superfund Programs  
Hazardous Waste Management Division

Attachments (3)

**ATTACHMENT 1**  
**LIST OF POTENTIALLY RESPONSIBLE PARTIES**

1. Allied Signal, Incorporated  
101 Columbia Road  
Morristown, New Jersey 07962
2. Hanlin Chemicals-West Virginia, Inc.  
P.O. Box 484  
Linden, New Jersey 07036
3. Olin Corporation  
PO Box 1355  
120 Long Ridge Road  
Stamford, Connecticut 06904-1355

ORIGINAL  
(RED)

**ATTACHMENT 2**  
**LIST OF KNOWN OR SUSPECTED HAZARDOUS SUBSTANCES**

Aniline  
Carbon Tetrachloride  
Chloroform  
Fumaric Acid  
Hydrochloric Acid  
Maleic anhydride  
Mercury  
Methyl chloride  
Methylene chloride  
Nitrobenzene  
Sulfuric acid  
Toluene diisocyanate  
Vinyl chloride

ORIGINAL  
(RED)

### ATTACHMENT 3

#### Hanlin/Allied Site Fact Sheet

##### Site Description and Contaminants

ORIGINAL  
(RED)

The Site is located on State Transportation Route 2, within the Ohio River Valley, approximately three (3) miles downstream of Moundsville, Marshall County, West Virginia. The facility sits on the east bank of the Ohio River and occupies the mid-northern portion of Round Bottom, a sickle-shaped bottomland alluvial deposit situated along the inside of a sharp meander in the Ohio River. Round Bottom encompasses an area of approximately four miles in length and a width of one-half mile at its widest point.

The 420± acre Site consists of three primary properties. Hanlin Chemicals owns 220± acres including the existing chemical plant. Allied and Olin own the remaining two portions of the property, respectively. The primary process of the chemical plant was the production of chlorine and sodium hydroxide from the electrolytic separation of brine in mercury electrolysis cells. That process produced waste material containing mercury.

A secondary process at the plant produced the following chloromethanes: methyl chloride, methylene chloride, chloroform and carbon tetrachloride. Those compounds were produced by the chlorination of methane and/or methanol. Wastes generated as a result of that operation included sulfuric acid, caustic soda, potassium carbonate and heavy organic residues from the distillation process. Spent sulfuric acid, waste mercury, potassium carbonate and other heavy organic residues were stored onsite for subsequent shipment offsite for disposal or reclamation.

##### Threats

The Washington Lands Water Well, which serves the Marshall County Public Service District, is located approximately 3000 feet south of the Site and supplies drinking water for approximately 3,200 local residential customers and industrial facilities. Immediately south and adjacent to the Facility is the Moundsville Country Club, which maintains and operates an 18-hole golf course, which uses ground water for watering its greens and fairways. Bordering the Hanlin property to the north is an inactive (and now leveled) chemical manufacturing facility formerly operated by Olin Chemicals Group. Allied Chemical Corporation formerly owned both the Olin and the Hanlin properties.

On or about June 29, 1989, Hanlin first observed that a 540,000 gallon capacity storage tank had leaked approximately 250,000 gallons of spent concentrated (70%) sulfuric acid into its 158 foot square earthen containment berm at the Hanlin Chemical Facility. An assessment and investigation conducted by EPA on or about June 30, 1989, revealed that all but approximately 100



Hanlin/Allied Site Fact Sheet, (cont'd)

gallons of the sulfuric acid, visible in puddles on the surface of the earthen containment area, had apparently leached into the soil. The discharge point of the tank is located approximately 870 feet east of the Ohio River and 356 feet north of an unnamed tributary to the Ohio River.

On or about August 20, 1989, Hanlin stated the company lost its primary chloromethane processing equipment in an explosion and fire. Hanlin Chemicals-West Virginia, Inc. is the current owner of the now inactive Hanlin Chemicals Site and is currently under bankruptcy protection. Allied owned all Site properties and operated the plant from 1953 until 1980.

Site Status

The Hanlin portion of the Site was being addressed by EPA's RCRA program until Hanlin filed for Chapter 11 bankruptcy protection in July 1991. A RCRA Facility Investigation had been started but not completed. The investigation did confirm significant mercury and VOC contamination of the ground water. No actual cleanup of the existing soil or ground water contamination has been undertaken by EPA or the PRPs.

The Site is being considered for listing on the National Priorities List. The Site has been chosen for possible action under the Superfund Accelerated Cleanup Model program. EPA has determined that both time-critical and non-time-critical actions are necessary to mitigate a threat to public health, welfare, or the environment.



-FIGURE 1-  
HANLIN-ALLIED SITE